

---

---

## SENATE BILL No. 497

---

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-10-10-12.

**Synopsis:** Long term care funding. Specifies circumstances under which money appropriated to the community and home options to institutional care for the elderly and disabled program (CHOICE) will not revert to the state general fund. Establishes the long term care transition fund to provide long term care services. Establishes the home and community based services trust board.

**Effective:** July 1, 2005.

---

---

**Server**

---

---

January 18, 2005, read first time and referred to Committee on Appropriations.

---

---

C  
o  
p  
y



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

C  
o  
p  
y

## SENATE BILL No. 497

---

A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-10-10-12 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2005]: **Sec. 12. (a) If, on May 1 of any year,**  
4 **a waiting list at any of the state's area agencies on aging for**  
5 **services funded through the program is at least ninety (90) days**  
6 **old, any money that:**  
7 (1) was appropriated to the division for the program;  
8 (2) was not spent in the fiscal year for which it was  
9 appropriated; and  
10 (3) is retained by the division;  
11 does not revert to the state general fund at the end of the state  
12 fiscal year and may be used in subsequent fiscal years for  
13 individuals receiving services under this chapter.  
14 (b) If, on May 1 of any year, a waiting list for services funded  
15 through the program is not at least ninety (90) days old, any money  
16 that:  
17 (1) was appropriated to the division for the program;



(2) was not spent in the fiscal year for which it was appropriated; and

(3) is retained by the division;

does not revert to the state general fund at the end of the state fiscal year and may be used in subsequent fiscal years for state matching funds for long term care services under IC 12-10-11.5.

(c) Any money not reverted to the state general fund under subsection (a) or (b) is annually appropriated to the division for its use in the programs as specified in subsection (a) or (b).

SECTION 2. [EFFECTIVE JULY 1, 2005] (a) As used in this SECTION, "bureau" refers to the bureau of aging and in-home services established by IC 12-10-1-1.

(b) The long term care transition fund is established for the purpose of providing the start up costs for implementing long term care services under IC 12-10-11.5. The start up costs include the following:

(1) Costs associated with establishing long term care services in Indiana.

(2) The placement of individuals to receive long term care services.

(3) Salaries for staff to provide long term care services.

(4) Costs for state and local administration of long term care services.

(c) The bureau shall administer the fund.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(f) Except as provided in subsection (g), money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund on June 30, 2007, shall revert to the state general fund.

(h) Money in the fund may not be used to fund services for an individual participating in any of the following programs:

(1) The community and home options to institutional care for the elderly program under IC 12-10-10.

(2) A home and community based services Medicaid waiver.

(i) There is appropriated to the office of the secretary of family and social services for the fund beginning July 1, 2005, and ending June 30, 2007, five million dollars (\$5,000,000). If the bureau determines that the amount is insufficient to carry out the purposes

C  
o  
p  
y



- 1 of the fund, the bureau may request that additional funds be  
2 allocated to the fund from an appropriation made to the office of  
3 the secretary of family and social services.  
4 (j) This SECTION expires December 31, 2007.

**C  
o  
p  
y**

